

United States District Judge RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

SHALEENA M. MILLER,)	
)	CIVIL NO. 3:12-cv-5080RBL-KLS
Plaintiff,)	
)	AMENDED ORDER FOR EAJA FEES
vs.)	AND EXPENSES
)	
MICHAEL J. COLVIN ¹ ,)	
Commissioner of Social Security,)	
)	
Defendant.)	

THIS MATTER having come on regularly before the undersigned upon Plaintiff's Motion to Award EAJA Fees and Expenses, and the Court agreeing that EAJA fees and expenses should be awarded, good cause having been shown, now, therefore, it is hereby

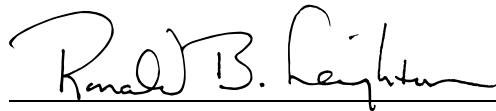
ORDERED that Plaintiff is hereby awarded EAJA fees of \$5,124.10 and expenses in the sum of \$27.32. Subject to any offset allowed under the Treasury Offset Program, as discussed in *Astrue v. Ratliff*, 130 S. Ct. 2521, 560 U.S. __ (2010), payment of this

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Fed. R. Civ. P. 25(d)(1), Carolyn W. Colvin should therefore be substituted for Commissioner Michael J. Astrue as Defendant in this suit. For simplicity, Plaintiff will refer to the Acting Commissioner as the Commissioner.

award shall be sent to Plaintiff's attorney Eitan Kassel Yanich at his address: Eitan Kassel Yanich, PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA. 98501.

After the Court issues the order for EAJA fees and expenses, the Commissioner will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, the ability to honor the assignment will depend on whether the EAJA fees and expenses are subject to any offset allowed under the Treasury Offset Program. The Commissioner agrees to contact the Department of Treasury after the order for EAJA fees and expenses is entered to determine whether the EAJA fees and expenses are subject to any offset. If the EAJA fees and expenses are not subject to any offset, the EAJA attorney's fees and expenses will be paid directly to plaintiff's attorney Eitan Kassel Yanich, either by direct deposit or by check payable to him and mailed to his address.

DATED this 2nd day of April, 2013.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Presented by:

S/EITAN KASSEL YANICH
EITAN KASSEL YANICH, WSBA #13690
Attorney for Plaintiff